

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROCKLAND VENDING CORP.,

*Plaintiff,*

-against-

ROXANNE CREEN, sued in her individual capacity,  
MARSHA F. RILEY, sued in her individual capacity,  
STEWART KIDDER, sued in his individual capacity,

*Defendants.*

**AFFIRMATION OF  
EDWARD L. JONES IN SUPPORT  
OF DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

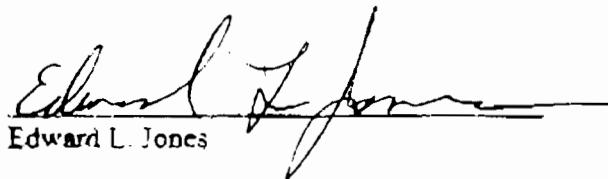
07 CV 6268 (WP)(MDF)

EDWARD L. JONES affirms as follows:

1. I am currently employed by the New York State Department of Correctional Services ("DOCS") as the Institutional Steward for Edgecombe Residential Treatment Facility, a position I have held since June 26, 2007. From April, 2004 until June 25, 2007 I was employed as the head Account Clerk at Lincoln Correctional Facility. I make this affirmation on personal knowledge except where expressly stated otherwise.
2. During my time at Lincoln, I worked with Marsha Riley, who was then the Institutional Steward at Lincoln. I am familiar with the contract that Rockland Vending Corporation had with Lincoln Correctional Facility.
3. The Lincoln facility made the decision not to extend Rockland's contract with Lincoln in March, 2007 because they were not paying commissions in a timely fashion. Neither Stewart Kidder, Nan Ferri, nor anyone in DOCS Support Operations ever told or encouraged me not to renew Lincoln's contract with Rockland Vending Corporation.

4 The document attached as Exhibit L to the Schulze Affirmation is a true and correct copy of the letter that was sent to Mr. Freed of Rockland Vending on March 27, 2007 informing him that the contract would not be renewed. The document attached as Exhibit M to the Schulze Affirmation is a true and correct copy of the letter that was sent to Mr. Freed of Rockland vending on May 5, 2007 reiterating again that the contract would end at the end of May, 2007, and demanding payment of amounts owed. These letters were created and maintained by DOCS in the ordinary course of business.

I affirm under penalty of perjury that the foregoing is true and correct. Executed on April 8, 2008

  
Edward L. Jones